

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI,
INC., OPENAI LP, OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, and OPENAI
HOLDINGS, LLC,

Defendants.

Case No. 1:23-CV-11195-SHS

MICROSOFT CORPORATION’S MOTION FOR LEAVE TO FILE UNDER SEAL

Under Section IV of this Court’s Individual Practices in Civil Cases, Defendant Microsoft Corporation respectfully seeks to provisionally file under seal a portion of its letter motion to compel, as well as the attached exhibits. The letter motion requests a pre-motion conference to discuss The New York Times’s (“The Times”) refusal to produce highly relevant documents regarding The Times’s own use and development of Generative AI models and tools. Microsoft seeks to file portions of this letter motion under seal because the motion discusses documents that The Times designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. The letter motion also attaches copies of these documents as exhibits. Microsoft does not affirmatively seek to seal any portion of this letter motion, nor any portion of any exhibit. Under the Protective Order, The Times has five business days to file a statement of reasons for why the material should be sealed. *Id.* Microsoft will review The Times’s filings, and if necessary, confer about any disagreement.

Dated: November 18, 2024

By: /s/ Annette L. Hurst

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